

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN E. SANDLES,

Petitioner,
v.

PHILLIP MILLER,

Respondent.

Case No. 2:11-CV-11777
HONORABLE AVERN COHN
UNITED STATES DISTRICT JUDGE

ORDER DENYING MOTION FOR CERTIFICATE OF APPEALABILITY

This is a case under 28 U.S.C. § 2241 in which Petitioner challenged the validity of his bank robbery conviction. The Court dismissed the petition on May 3, 2011. Doc. 3. Petitioner then filed a motion for reconsideration, Doc. 5, and a motion for clarification. Doc. 6. The Court denied the motions. Doc. 7. Petitioner filed a "Motion for a Certificate of Appealability or in the Alternative Notice of Appeal." Doc. 8.

A certificate of appealability (COA) is not needed to appeal the dismissal of a habeas petition filed under § 2241, *see Witham v. United States*, 355 F.3d 501, 504 (6th Cir. 2004). Accordingly, the motion for a COA is DENIED.

SO ORDERED.

Dated: August 17, 2011

S/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to John Sandles, 086-22367, 7266 Winthrop, Detroit, MI 48214 on this date, August 17, 2011, by electronic and/or ordinary mail.

S/Julie Owens
Case Manager, (313) 234-5160